

1909-051

Lee Co.

Chancery Causes: James Stewart vs. Pearlee Stewart

Brigmon

CA-Divorce

T-Migration

To the Honorable H. A. W. Skeen, Judge of the Circuit Court for Lee County, Virginia.

Humbly complaining, your complainant, James Stewart would respectfully represent and show unto your Honor that he is a resident and citizen of Lee County, Virginia and has been for more than twelve months before the institution of this suit, and that he on the _____ day of _____, 190_____, was married to one, Pearlie Stewart, and that they lived together as husband and wife for a short time, when your complainants said wife, without any cause, willfully deserted and abandoned her husband and went to the State of Tennessee, where she now resides and where she refuses to return to live with your said complainant.

Your complainant alleges that said desertion and abandonment has continued for more than three years before the institution of this suit; he alleges that he is entitled to a divorce from the said Pearlie Stewart, and to this end he prays that the said Pearlie Stewart be made a party defendant to this bill, and answer the same but not on oath, that being waived; that order of publication be posted and published against the defendant, who is a non-resident of the State of Virginia; that the bonds of matrimony heretofore contracted and now existing between your complainant and the said defendant, be dissolved, and that your complainant be divorced avinculo matrimonii. Your complainant prays for all other and further relief generally that the nature of his case requires or to equity seem meet, and he will ever pray &c.

E. J. Edmondson P.Q.

James Stewart ^{1684/17}

vs. { Bill in Chancery

Pearlie Stewart

1909 First April Rule

Bill filed, Spa.

Not executed Deft
being a non-resi-
dent & Court for O.P.

" 2nd April Rule

O.P. completed &
cause set for hearing.

Costs:

Clerk \$5.05

Jury 1.50

atly 15.00

Printer 5.00

Depo. 1.25

\$27.80

James Stewart Plaintiff
against E. L. Chanery
Pearlie Stewart Defendant.

This cause came on this day to be heard upon the bill of complaint and depositions filed therewith, and was argued by counsel for Plaintiff.

On consideration of which, the court being of opinion that the charge of desertion has been proven, it is adjudged ordered and decreed that the bonds of matrimony heretofore contracted and now existing between plaintiff and defendant be dissolved and that the plaintiff be forever divorced from the defendant a vinculo matrimonii and the plaintiff will pay the costs of this suit to be taxed by clerk for which execution may issue in favor of the officers of the court, and the cause is ~~dismissed~~ - stricken from the docket.

James Stewart
no. 55 Decree
Pearlie Stewart

Entered in C.C.B.
S. page 479.

Enter this

J. H. W. D. H.

May 5-1909-

ELY & WOODWARD
Attorneys-At-Law
JONESVILLE, VA.

The deposition Arthur Brignon taken before me Geo.P.Giddin a Commissioner in Chancery for the Circuit Court of Lee County, Virginia, on the 30th day of April, 1909, at the office of M.G.Ely, in the town of Jonesville, Virginia, which deposition is intended to be read as evidence in behalf of the plaintiff in a certain suit in Chancery now depending in the Circuit Court of Lee County, in which James Stewart is plaintiff and Perlie Stewart is defendant.

Present M.G.Ely, for plaff.

Arthur Brignon a witness of lawful age being duly sworn deposes and says:

Q.1.-- Please state your age, residence and occupation?

A.-- I am 21 years old, reside at Jonesville, laborer by occupation.

Q.-- Please state whther or not you are acquainted with the plaintiff and defendant in this case, and if so how long have you known them and where do each of them live?

A.-- I do know them both. Have known the plaintiff 2 years and have known the defendant about four years. The defendant lived in Bristol when I first knew her. I first got acquainted with plaintiff in Bristol, but knew him more intimately at Keekee, Va. The defendant lives now on Locust street in Bristol, Tenn. and the plaintiff lives at Keekee, Lee County, Virginia, and has been living there for more than a year.

Q.-- Please state if you know the defendant abandoned or left the plaintiff and refuses to live with him, and how long has that separation continued?

A.-- I know that she left him and that she has been gone from him more than three years, and I have heard her say often that she never intended to live with him any more.

ELY & WOODWARD
Attorneys-At-Law
JONESVILLE, VA.

And further this deponent saith not.

Wit. claims 1 day .50

Arthur Brignon man

Virginia, Lee County, to-wit:

I, Geo.P.Cridlin, a Commissioner in Chancery for the Circuit Court of Lee County, Virginia, do certify that the foregoing deposition of Arthur Brignon was taken before me at the time, place and for the purpose in the caption mentioned.

Given under my hand this the 5th day of May, 1909.

Geo. P. Cridlin
Commissioner in Chancery.

James Stewart
vs. { In Chy.

Marli Stewart

Depositions for Plff

Arthur Brignon ^{cost} .50

Cour. fee .75

\$1.25

Filed by Geo. P. Cridkin,
Clerk in Chy. This the
5 day of May, 1909.

H. C. D. Ewing, Clerk

In the Clerk's Office of the Circuit Court of the county of Lee, on the 5th
 day of March, 1909.

James Stewart,
 against Pearlee Stewart,
 Plaintiff, In Chancery
 Defendant

The object of this suit is to obtain a divorce a vinculo
matrimonii.

And an affidavit having been made and filed that the defendant, Pearlee Stewart, is
 not ^a resident of the State of Virginia, it is ordered that she do appear here within fifteen days
 after due publication hereof, and do what may be necessary to protect her interest in this suit. And it is
 further ordered that a copy hereof be published once a week for four weeks in the Jonesville
Star and that a copy be posted at the front door of the Courthouse of this county as prescribed
 by law.

A copy—Teste:

Ely & Woodward, p. q.

J. C. G. Ewing, Clerk.
By M. H. Kinsey, D.C.

James Stewart -

vs. {

ORDER OF
PUBLICATION

Pearlee Stewart -

Virginia, Lee County, to wit:

I, H. C. Ewing, Clerk of
the Circuit Court for the
County aforesaid, in the
State of Virginia, do cer-
tify that I posted a
true copy of the within
order of publication at
the front door of the Court
house of said County on
this day.

Given under my hand,
this the 5th day of March,
1909,

H. C. Ewing,
Clerk.

In the Clerk's Office of the Circuit Court of the County of
Lee.

James Stewart,

Plaintiff

against

Charles Stewart,

Defendant

In Chancery

This day March 5th personally appeared
before me H. C. Ewing, Clerk of the said Court,
and being duly sworn, made oath that Charles Stewart

defendant in the said suit is not resident of the State of Virginia,

Given under my hand as Clerk of the said Court, this 5th day of March 1907
H. C. Ewing, Clerk.

James Stewart

VS

{ AFFIDAVIT FOR ORDER
OF
PUBLICATION

Pearce Stewart

Ely K Woodward p. q.

Filed Mar. 5, 1909,

H. C. Ewing,
Clark,

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon *Pearce Stewart*

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on
the *1st* Monday in *April*, 190*9*, to answer a bill in chancery exhibited against *her*
in our said Court by James Stewart

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the *5th*

day of *March*, 190*9*, and 1 *83rd* year of the Commonwealth.

A Copy, Teste:

H. C. T. Ewing, Clerk

_____, Clerk

James Stewart

VS

}

SUBPOENA
IN
CHANCERY

Pearlie Stewart

Ely & Woodward, p. q.

To

1st April,

Rules

Lee Circuit

Court

1909,

Order of Publication.

In the Clerk's Office of the Circuit
Court of the county of Lee, on
the 5th day of March, 1909.

JAMES STEWART, Plaintiff,
against

PEARLEE STEWART, Defendant.

In chancery.

The object of this suit is to obtain a divorce a vinculo matrimonii. And an affidavit having been made and filed that the defendant, Pearlee Stewart, is not a resident of the State of Virginia, it is ordered that she do appear here within fifteen days after due publication hereof, and do what may be necessary to protect her interest in this suit. And it is further ordered that a copy hereof be published once a week for four weeks in the Jonesville Star and that a copy be posted at the front door of the Courthouse of this county as prescribed by law.

A copy—Teste:

H. C. T. EWING, Clerk.

By M. E. FLANARY, D. C.

ELY & WOODWARD, p. q.

James Stewart
vs { ~~in~~ Channing
Pearl Stewart



I, J. C. Boatright, editor
of The Jonesville Star, a weekly newspaper
published in the county of Lee, state of Virginia,
do hereby certify that the enclosed notice was
published in said paper once a week for four
successive weeks, commencing on the 11
day of March 1907.

J. C. Boatright, Editor.

FEE \$ 5.00